

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU**

JANE DOE,

Plaintiff,

- against -

BRIAN WARNER a/k/a MARILYN
MANSON; INTERSCOPE MUSIC
PUBLISHING, INC.; NOTHING
RECORDS; and DOES 1–20, whose
identities are unknown to Plaintiff,

Defendants.

Index No. _____

SUMMONS

Date Index No. Purchased: January 30, 2023

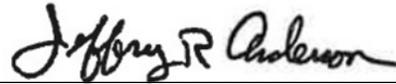
TO THE ABOVE NAMED DEFENDANTS:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the Complaint, a copy of which is hereby served upon you, and to serve a copy of your Answer to the Complaint upon the undersigned attorneys listed below within twenty (20) days after the service of this Summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in the case of your failure to appear or answer, judgment by default will be taken against you for the relief demanded herein.

Plaintiff designates Nassau County as the place of trial. The basis of venue is that a substantial part of the events giving rise to the claim occurred in Nassau County.

Dated: January 30, 2023

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**COMPLAINT
AND DEMAND
FOR JURY TRIAL**

Plaintiff Jane Doe (“Plaintiff”), by and through her undersigned attorneys, states and alleges as follows:

NATURE OF THE ACTION

1. Plaintiff, Jane Doe is a survivor of childhood and adult sexual abuse, sexual battery, assault, and molestation at the hands of Defendant Brian Warner, who goes by the stage name Marilyn Manson.

2. Defendant Warner’s pedophilic obsessions and violent behaviors were not only known by Defendants Interscope and Nothing Records, but they were celebrated and promoted for their collective financial gain.

3. Defendant Warner first targeted Plaintiff in 1995 when she was 16 years old, using his role, status, and power as an adult and performer in the music industry to gain access to, groom, manipulate and exploit Plaintiff, resulting in sexual assault in two separate incidents.

4. Then, in 1999 when Plaintiff was approximately 19 years old, Defendant Warner perpetuated his grooming, manipulation, exploitation and sexual assault of Plaintiff over the

course of approximately 4 weeks.

5. Upon information and belief, Defendants Interscope and Nothing Records were aware of Defendant Warner's practice of sexually assaulting minors, and aided and abetted such behavior. As a result of Brian Warner's sexual abuse and assault, enabled and encouraged by Defendants Interscope and Nothing Records, Plaintiff has suffered severe emotional, physical and psychological distress, including shame, and guilt, economic loss, economic capacity and emotional loss.

6. Defendants Interscope and Nothing Records knowingly, intentionally, willfully, deliberately, and recklessly fostered a pervasive and hostile environment for the purpose of financial gain that utterly disregarded the rights and safety of the band's young fans. As a result, Plaintiff has suffered humiliation, shame, and horror that she will continue to suffer for the rest of her life.

PARTIES, JURISDICTION, AND VENUE

7. Plaintiff Jane Doe, is an adult female residing in Maryland. The name utilized by Plaintiff in this Complaint is fictitious to protect her privacy as a victim of child and adult sexual assault and molestation.

8. Plaintiff was born in 1979. At the relevant time period in 1999, Plaintiff was an adult residing in Maryland.

9. Defendant Warner was born in 1969 and at all times herein was and is an adult male individual living in Los Angeles, California.

10. Defendant Interscope Music Publishing, Inc. ("Interscope") is a Delaware corporation with its principal place of business in Santa Monica, California.

11. Defendant Nothing Records was an American record label originally founded in Cleveland and incorporated in Ohio. It had offices in New York City, New Orleans, Louisiana,

and Cleveland, Ohio.

12. As to claims arising out of sexual abuse after Plaintiff turned 18 years of age, Plaintiff brings this Complaint pursuant to the New York Adult Survivors Act, CPLR § 214-j. The conduct at issue included sexual offenses in violation of sections within Article 130 of the New York Penal Law, and resulted in physical, psychological, and emotional injuries. As a civil cause of action was previously time-barred prior to August 14, 2019, the Adult Survivors Act, CPLR § 214-j, revives the claims set forth below.

13. Plaintiff is informed and believes and thereon alleges that the true names and capacities, whether individual, corporate, associate, or otherwise of Defendants named herein as Defendants Does 1 through 20, inclusive, are unknown to Plaintiff, who therefore sues Defendants Does 1 through 20 by such fictitious names, and who will amend the Complaint to show their true names and capacities when such names have been ascertained pursuant to CPLR § 1024. Plaintiff is informed and believes and thereon alleges that Does 1 through 20 are legally responsible in some manner for the events, happenings, and/or tortious and unlawful conduct that caused the injuries and damages alleged in this Complaint.

14. Whenever reference is made to any defendant entity, such reference includes that entity, its parent companies, subsidiaries, affiliates, predecessors, and successors. In addition, whenever reference is made to any act, deed, or transaction of any entity, the allegation means that the entity engaged in the act, deed, or transaction by or through its officers, directors, agents, employees, or representatives while they were actively engaged in the management, direction, control, or transaction of the entity's business or affairs.

15. Each of the Defendants aided and abetted each other Defendant. Each Defendant knowingly gave substantial assistance to each other Defendant, including Defendant Warner, who performed the wrongful conduct alleged herein. Accordingly, each Defendant is jointly and

severally liable for the damages proximately caused by Defendant Warner's and each other Defendant's wrongful conduct.

16. This Court has jurisdiction pursuant to CPLR § 302 because Defendants transacts business within the state of New York and because Defendants committed tortious acts within the state of New York, and specifically within the County of Nassau.

FACTUAL ALLEGATIONS

Interscope and Nothing Records Sign Defendant Warner and his band "Marilyn Manson" and Promote His Sexual Deviance and Violence to Children

17. Defendant Warner described his working relationship with Defendant Nothing Records and its founder, Trent Reznor, as beginning in the early 1990's at the infamous Hollywood Hills home where Charles Manson's disciples murdered pregnant movie star Sharon Tate. According to Defendant Warner's 1998 autobiography, *The Long Hard Road out of Hell* (written by Defendant Warner and Neil Strauss), Defendant Warner boasted that he and his friend Reznor sexually abused a woman and on the next day, Reznor told Defendant Warner that, "he was starting his own label through Interscope Records called Nothing, and he wanted Marilyn Manson to be the first band on it." Marilyn Manson was the first band signed to Defendant Nothing Records' label.

18. In 1993, Defendants produced *Portrait of an American Family*, the first Marilyn Manson release on Defendant Interscope and Defendant Nothing Records – an album that has sold millions of copies to date. The album was recorded in various studios across the country including Reznor's studio inside the Tate Murder house. Songs on the album use child themes and refer to rape and sodomy. One song borrows lyrics written by Charles Manson. Lyrics on the album include, "I am the pedophile's dream, a messianic peter pan."

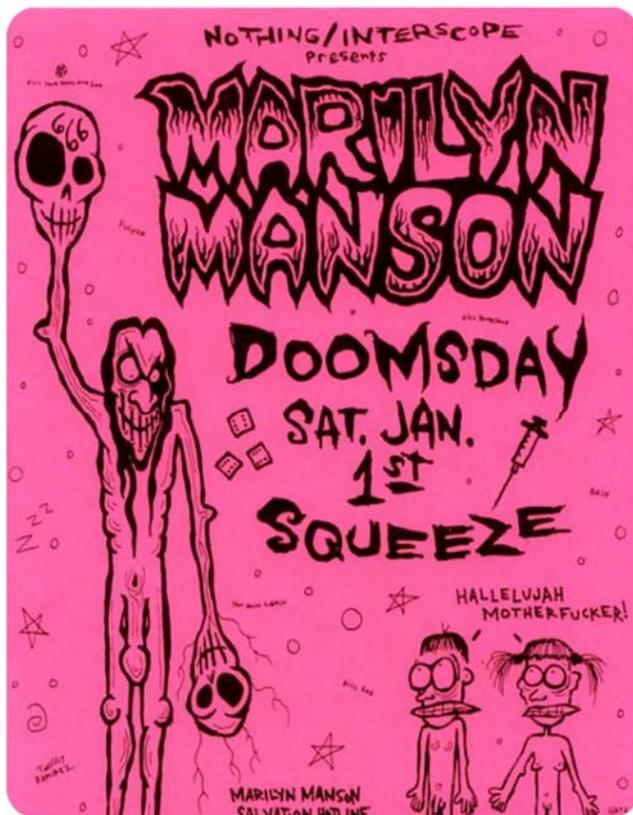
19. Defendants released music videos associated with songs from the album. The

video for the song “Dope Hat” was featured on MTV and includes Defendant Warner as a Willy Wonka character performing alongside children while exposing them to psychedelic scenes of violence and sex with words on the screen like “THE BOYS TASTE LIKE BOYS” and “THE GIRLS TASTE LIKE GIRLS.”

20. Defendant Nothing Records and Defendant Warner attempted to include a naked photograph of Defendant Warner as a child in the insert for the Marilyn Manson album *Portrait of an American Family*. According to Defendant Warner’s autobiography, “[T]he lawyers at Interscope said, 'First off, that picture's going to be considered child pornography, and not only will no stores carry the album but we're subject to legal retribution from it.' They said if a judge were to look at it, the law states that if a photograph of a minor elicits sexual excitement then it's considered child pornography. I said, 'That's exactly my point.’”¹ As such, Defendant Interscope and Defendant Nothing Records were well aware of Defendant Warner’s obsession with child pornography and pedophilia and his desire to expose children across America to sexual themes. Defendant Interscope had the ability to stop Defendant Warner from including images and symbols of children, violence and sexual deviance in Marilyn Manson albums and merchandise, but chose not to. Instead, Defendant Interscope and Defendant Nothing Records promoted Defendant Warner’s pedophilia and violence for added publicity and financial gain.

¹ Manson, Marilyn; Strauss, Neil, *The Long Hard Road Out of Hell*, page 206, New York: Harper Collins division ReganBooks. ISBN 0-06-039258-4 (February 14, 1998).

22. Another flyer includes two small, completely naked children, again with pigtails and immature physical characteristics alongside drug paraphernalia and references to Satan and pedophilia. For example, the spiral symbol on the bottom left of the flyer below and next to the top hat in the flyer above is consistent with what the FBI² has identified as “Symbols and Logos Used by Pedophiles to Identify Sexual Preferences” referencing a “Little Boy Lover.”



UNCLASSIFIED



(U) LBLogo aka “Little Boy Lover”

23. Defendants often incorporated such pedophilia symbols in their promotional materials. The above-referenced spiral logo is incorporated into the lettering on the album artwork for the “Smells Like Children” album seen below. Similarly, other symbols associated with pedophilia are visible on Defendant Warner’s body while he performs, as shown below.

² Federal Bureau of Investigation Intelligence Bulletin, Cyber Division, Innocent Images National Initiative, 31 January 2007. <https://archive.org/details/fbi-pedophile-symbols/page/2/mode/2up>



UNCLASSIFIED



(U) LLogo aka "Little Boy Lover"



UNCLASSIFIED



(U) GLogo a.k.a. "Girl Lover," Childlove

24. The flyers above include references to the "Marilyn Manson Salvation Hotline" and "the Marilyn Manson Family Intervention Hotline" and include a phone number: 407-997-9497. Upon information and belief, Defendant Warner used the Marilyn Manson Family Intervention Hotline to coax underage fans to send him child pornography, including Polaroid photographs of themselves naked. According to an interview published in a 2021 article in Rolling Stone,³ a woman hired by Defendant Warner to run the band's fan club around 1993-94 said, "There were underage girls sending nude pictures of themselves, people writing letters in

³ <https://www.rollingstone.com/music/music-features/marilyn-manson-abuse-allegations-1256888/>

blood.” In the interview, the woman further explained that Defendant Warner referred to the fan club’s members as “the Family” (another reference to Charles Manson), and she remembers a newsletter urging those followers to break the law: “They were like, ‘We are having a contest to see who can send us a Polaroid with the most deviant usage of our logo.’”

25. Defendant Warner and his band created a fan club called “Satan’s Bakesale.” Through the fan club, fans of any age could buy merchandise and communicate directly with the band through telephone and mail. Defendants published the address and phone number for the fan club on the album *Portrait of an American Family*: “Merchandise can be obtained through Satan’s Bakesale To join the Marilyn Manson Family write to: 2901 Clint Moore Rd., Suite #404, Boca Raton, FL. 33496 or call the Marilyn Manson Family Intervention Hotline anytime at (407-997-9437).”

26. The last song on *Portrait of an American Family* (1994) is entitled “Misery Machine.” After the song itself concludes, there are approximately seven minutes of relative quiet aside from a phone quietly ringing before arriving at a “hidden track,” which is a voicemail message ostensibly from a mother to the band, stating, “I want my son off of your mailing list, I have already contacted the post office about your pornographic material that is being received in the mail, my next stop is my attorney. I do not want this number called anymore, and I do not want anything delivered to my address. If I receive anything else from this band, or this group, my next phone call will be my attorney, and you will be contacted. Thank you and good-bye!” Through the inclusion of this brazen message, even if dramatized, Defendant Interscope and Defendant Nothing Records knew or should have known that Defendant Warner was likely using his fan club to solicit and transmit child pornography to and from minors.

27. In 1994, Defendant Nothing Records’ founder Reznor was a well-known and credible rockstar artist in his band Nine Inch Nails (NIN). Defendant Nothing Records and

Reznor gave Defendant Warner and his band the opportunity to be an opening act on NIN's *Self Destruct* tour. This was Defendant Warner and his band's first tour under management of the major record label Defendant Interscope. The band was on the tour from April 24, 1994 until December 11, 1994. During this tour Defendant Warner was able to meet and connect with fans, including underage fans, from across the country.

28. Upon information and belief Defendant Warner was arrested on December 27, 1994 for "violating the adult entertainment code," as he described in his 1998 autobiography. Upon information and belief, this was the first date of Defendant Warner's band's tour, which was supported financially by Defendant Interscope, and Defendant Interscope paid for Defendant Warner's bail so he could continue the tour and promote Marilyn Manson's album *Portrait of an American Family*.

29. On February 5, 1995, Defendant Interscope and Defendant Nothing Records released *Lunchbox*, the second single off of Marilyn Manson's album *Portrait of an American Family*. On the sleeve of the single, the album credits list the band members and describe Defendant Warner as "Rape Machine".

30. Defendants continued to book "all ages" shows and Defendant Warner and his band continued to perform lewd and lascivious acts onstage with underage fans in the crowds.

31. Defendant Interscope continues to promote its tight relationship with Defendant Warner and proudly admits a pattern and practice of enabling Defendant Warner and Defendant Nothing Records, inspite of their focus on child pornography, sexual deviance and violence. In a 2017 docuseries on HBO titled *The Defiant Ones*, former Interscope records CEO and co-founder Jimmy Iovine spoke of "great artists" like Reznor and Defendant Warner and their collaborations: "what they're doing is pure as possible, what you do is you give them the keys and you say drive." As recently as 2017, Defendant Interscope's close connection with

Defendant Warner was promoted on the face of a 12-story building on Sunset Boulevard:



Defendants Interscope and Nothing Records Enabled, Promoted and Financially Benefited From Defendant Warner's Sexual Deviance and Violence and Drug Abuse

32. Defendant Warner's obsession with violence and sexual assault of children and women is not just an act. By his own admissions, in an interview published in PURR Magazine in 1995⁴ when asked about "groupies" and tales from the road, Defendant Warner's answer was, "I have always found that the best and most exciting stories on the road are better left a secret because the statute of limitations." Defendant Warner boasted, "I've grown accustomed to getting sexual excitement out of a girls' screaming. There's something about a terrified girl that I find exciting." When explaining his music, Defendant Warner states, "That's why I dabble with very taboo subjects like child porn, sodomy, Satan. It raises questions."

⁴[https://www.mansonwiki.com/wiki/Interview:Richard Kern snapped and chatted to MARILYN MANSON for PURR 1995](https://www.mansonwiki.com/wiki/Interview:Richard_Kern_snapped_and_chatted_to_MARILYN_MANSON_for_PURR_1995)

33. Early on, Defendant Interscope expressed concern about producing and promoting Defendant Warner and his band. In an interview published in Seconds Magazine in 1996,⁵ when asked if the band was dropped by Interscope at one point, Defendant Warner replied, “There's a part of a truth to that because when we recorded *Portrait Of An American Family*, Interscope did drop us. They refused to put the album out, the reason being the content of the record was in question. It was too hard to handle at the time when they were in the midst of their big Rap scandals. They had a change of heart and we stayed with them.”

34. In 1996, Access Magazine⁶ published an interview with Defendant Warner, pointing out the questionable content of the songs on *Smells Like Children*: “That wasn't the only chance that they took. Tony Wiggins, a former country singer turned bus driver for Marilyn Manson on the Portrait tour, was featured on the first version of *Smells Like Children* on a track aptly titled Abuse Part One. (Note: A censored version of Wiggins' acoustic cover of Cake And Sodomy did remain on the final version of the EP). The track is a disturbing live recording of Wiggins performing a sadomasochistic act with a hopelessly submissive woman.”

35. The song “Abuse Part 2 (Confessions)” on the B-side of the original *Smells Like Children* promotional album, produced and promoted by Defendant Interscope and Defendant Nothing Records, included lyrics about a woman forcing her cousin, a young boy (“Six or seven. Really tiny, and small and innocent”) to engage in sex acts, including oral copulation, and the woman knew she did “something wrong”, she liked it and she “felt very powerful”.

36. In the same 1996 Access Magazine interview when asked about the *Smells Like Children* promotional album, Defendant Warner explained, "That was the way I wanted to

⁵[https://www.mansonwiki.com/wiki/Interview:1996 I Think the Children Have Come for Me \(Seconds Magazine\)](https://www.mansonwiki.com/wiki/Interview:1996_I_Think_the_Children_Have_Come_for_Me_(Seconds_Magazine))

⁶[https://www.mansonwiki.com/wiki/Interview:Access %E2%80%A2 Marilyn Manson Interview](https://www.mansonwiki.com/wiki/Interview:Access_%E2%80%A2_Marilyn_Manson_Interview)

^W

present that EP, and unfortunately I wasn't allowed to." Then Defendant Warner notes, "But, ironically enough, the record company actually printed several thousand copies of that and distributed it themselves." At least by 1994, Defendant Interscope and Defendant Nothing Records was well-aware of Defendant Warner's obsession with sexual violence and childhood sexual assault.

37. Defendant Warner also made incriminating admissions in his autobiography published in 1998. Defendant Interscope and Defendant Nothing Records continued to produce and promote Defendant Warner's records and shows, enabling his ability to use his authority, power, and fame to exploit, harass, and assault young fans.

38. Despite his lewd and illegal behavior, Defendant Interscope and Defendant Nothing Records continued to produce albums and promote Defendant Warner and his band, increasing the profits for all Defendants. The band's second full length album, *Antichrist Superstar*, released in 1996, was a commercial success, reaching number three on the Billboard 200. Defendant Warner and his band were featured on the cover of multiple magazines including Rolling Stone magazine.

39. In 1998, the band's *Mechanical Animals* album reached number one on the Billboard 200, as well as topping the charts in Australia and Canada.

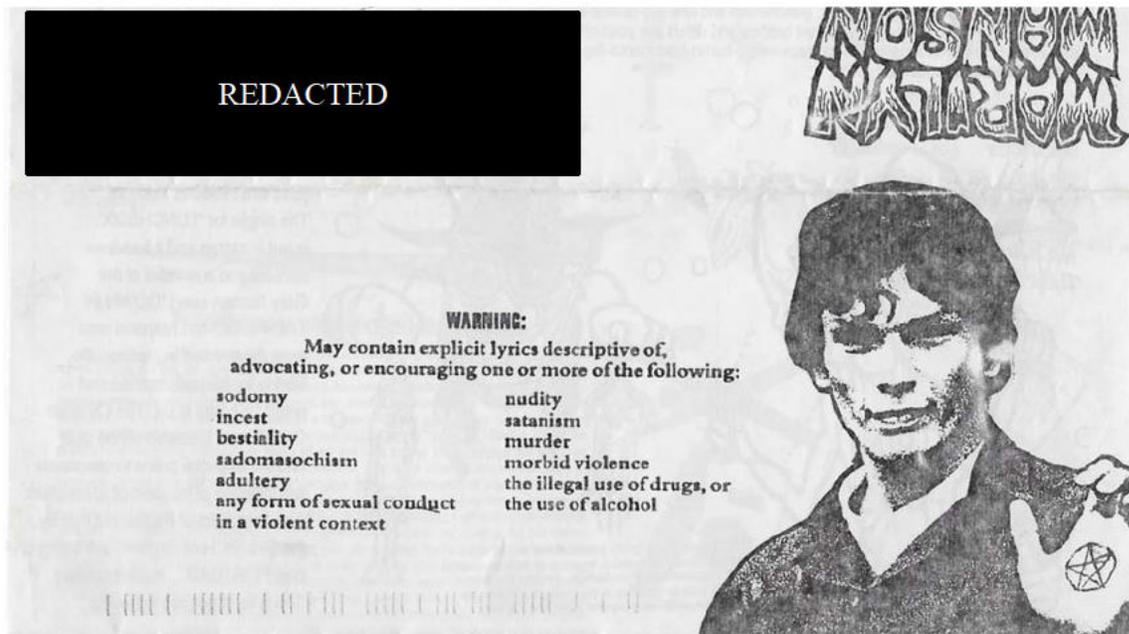
40. The band's success empowered Defendant Warner even more, gaining him the status and authority that would cause those around him, including Defendant Interscope and Defendant Nothing Records to enable, profit from, accept, or simply ignore his violent and illegal actions, including drug abuse and sexual assault.

Defendant Warner Sexually Assaults Plaintiff at Age 16

41. Plaintiff learned of the band Marilyn Manson in 1995, after seeing someone wearing one of the band's t-shirts. She went to a local record shop and bought their CD, A

Portrait of An American Family, produced by Defendants Interscope and Nothing Records.

Plaintiff also learned about the band's fanclub called Satan's Bakesale, which sent flyers to fans with a "WARNING" label on the back of the flyer, that is more accurately described as an advertisement:



42. Defendant Interscope and Defendant Nothing Records were promoting Defendant Warner and his band at this time knew or should have known of the promotional materials the band was sending to underage and young fans. Defendants profited from these promotional materials that admittedly “advocat[e]” and “encourage[e]” violence, sexual conduct and illegal use of alcohol and drugs to an audience that includes children.

43. In the fall of 1995, Defendant Warner was on a national tour, promoting the upcoming release of *Smells Like Children*, the band’s second album released through Defendant Interscope and Defendant Nothing Records. Upon information and belief, Defendant Interscope and Defendant Nothing Records financially supported Defendant Warner and his band, including touring costs, transportation, lodging, support, road crew payroll, and other expenses, along with marketing costs like radio and video promotion.

44. On an early evening on September 15th, 1995, a few days after Plaintiff's 16th birthday, Plaintiff attended an all-ages concert where Defendant Warner performed with his band. Defendant Interscope and Defendant Nothing Records marketed and promoted the show.

45. After the show, a group of about twenty young fans gathered outside the venue in front of Defendant Warner's tour bus in hopes to see Defendant Warner and his band. Fans waited in line for autographs. Plaintiff and three other underage female fans, waited to meet Defendant Warner and other band members. Defendant Warner was looking at the girls and began talking to them. Defendant Warner took Plaintiff and one of the other younger girls onto the tour bus. Defendant Warner questioned the minors, including Plaintiff, specifically asking what each of their ages were, what grades in school they were in, and where their parents were at the time. Defendant Warner then asked both children for their home addresses and phone numbers, jotting them down, suggesting that he would send them both promotional material from his fan club.

46. While on the tour bus, Defendant Warner performed various acts of criminal sexual conduct upon Plaintiff, who was a virgin at the time, including but not limited to forced copulation and vaginal penetration. One of the band members watched Defendant Warner sexually assault Plaintiff. Plaintiff was in pain, scared, upset, humiliated and confused. After he was done, Defendant Warner laughed at her. Plaintiff is informed and thereon alleges that all of the sexually abusive and harassing conduct alleged herein was done to satisfy Defendant Warner's own prurient sexual desires. Then Defendant Warner demanded Plaintiff to "get the fuck off of my bus" and threatened Plaintiff that, if she told anyone, he would kill her and her family.

47. When Plaintiff left the bus, Defendant Warner's tour manager was there and gave Plaintiff a piece of paper with the private 1-800 number for Defendant Warner's band, so she

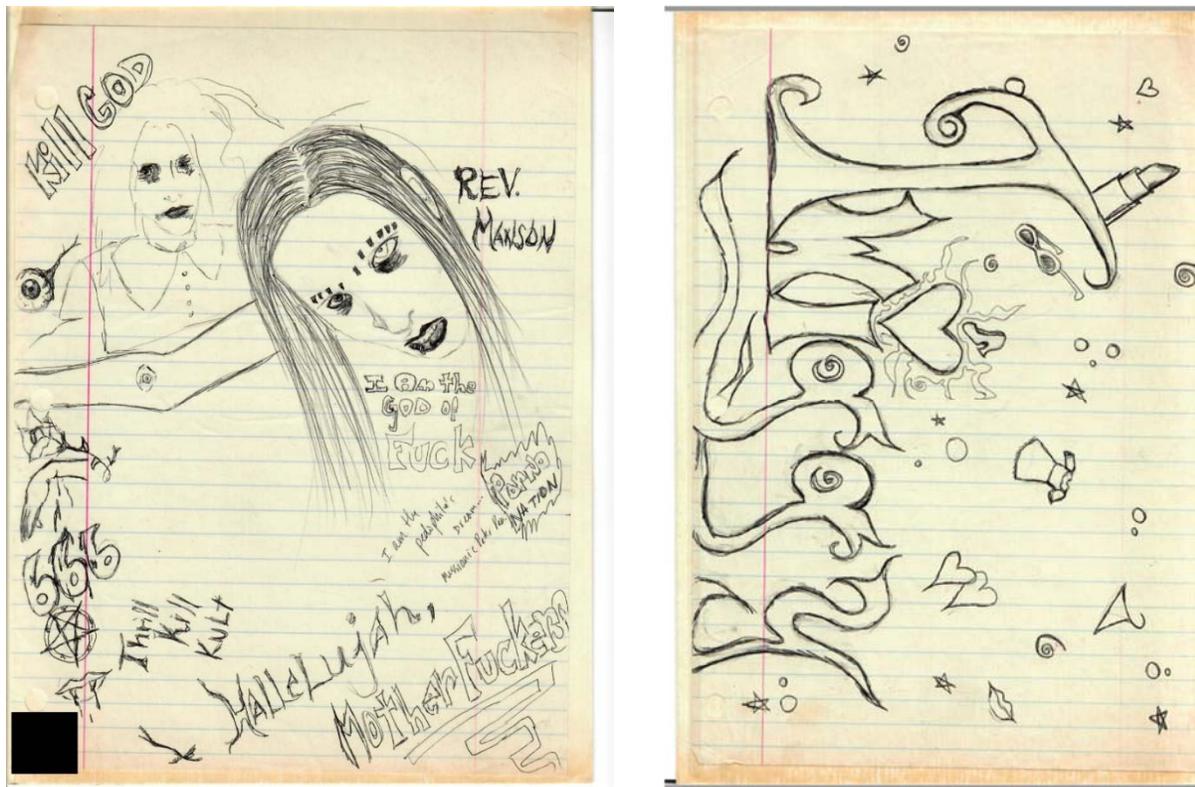
could “stay in touch” with the band and come to more shows. The tour manager also gave Plaintiff a secret, heavy metal themed password. Plaintiff was told that this password was given out to girls while on tour to gain special access to the band, including Defendant Warner. Terrified, Plaintiff took the piece of paper, and rushed off the bus, convinced she must keep her mouth shut or Defendant Warner would kill her and her family.

48. Within days of Defendant Warner’s sexual assault and afraid to tell anyone about the assault, Plaintiff at age 16 started using drugs for the first time in her life, which began her addiction with drugs and alcohol that continued for many years.

49. Within weeks, Defendant Warner began calling Plaintiff at her home, soliciting Plaintiff to send explicit sexual photos of her and her friends to his fan club, Satan’s Bakesale. Defendant Warner also began communicating with Plaintiff directly through an Internet chat group.

50. Acting on the encouragement and insistence of Defendant Warner, Plaintiff went to New Orleans, Louisiana to attend another performance by Defendant Warner and his band on December 9, 1995. The tour manager for Defendant Warner and his band provided Plaintiff with tickets for the performance, as well as a photo pass that gave Plaintiff additional access within the venue. After the show, Defendant Warner took Plaintiff onto the tour bus once again. He groomed Plaintiff by complimenting her, playing with her hair and looking at the photos and drawings she brought with her. Plaintiff, still a young 16 year old child, had brought her personal drawings and photos, including some that were styled and taken at the direction of Defendant Warner of her and her friends. Naïve to their meaning, Plaintiff drew the pedophilia symbols she saw on Defendants’ marketing materials, merchandise and record albums and CDs on the drawings she made of Defendant Warner, one of the other band members, and words, lyrics and symbols related to the band.

51. Plaintiff's drawings at age 16, some of which are shown below, were strikingly similar to the promotional fliers Defendant Interscope and Nothing Records distributed to



promote Defendant Warner and his band, including the same symbols and language and lyrics of the band, including “I am the pedophile’s Dream... Messianic Peter Pan”.

52. Defendant Warner kept some of the drawings and photographs Plaintiff gave him that night.

53. Defendant Warner then became more aggressive and again sexually assaulted Plaintiff, including kissing, biting her breast, oral copulation, and penetration. Another man involved with the tour was on the bus at the time Defendant Warner sexually assaulted Plaintiff. Upon information and belief this man was an employee of Defendants. After the second assault, Defendant Warner acted in a kinder manner nicer to Plaintiff and told her that he wanted to see her again.

Defendant Warner Continues to Sexually Assault Plaintiff at Age 19

54. Through her teenage years, Plaintiff continued to be interested in the music scene. Plaintiff was put in touch with Chris Vrenna, drummer of Reznor's band Nine Inch Nails. When Plaintiff turned 18, Vrenna encouraged Plaintiff to move to Los Angeles and they began dating. Vrenna had a close association with Defendant Warner and was a credited member of the production team on Marilyn Manson albums before he joined the Marilyn Manson band as its keyboardist and drummer from 2004-2011.

55. In March 1999, when Plaintiff was age 19 and living in Los Angeles, California, she attended a concert and Marilyn Manson was the opening band. After the show, Plaintiff encountered a member of Defendant Warner's band who encouraged Plaintiff to attend another performance in Texas, which she did.

56. At this time, Plaintiff had not recovered from the original childhood sexual assaults and grooming by Defendant Warner. She was still addicted to drugs and alcohol that she used to self-medicate. Plaintiff was susceptible to influence from the power and celebrity of Defendant Warner. Under these circumstances, Plaintiff was lured into Defendants' dark world of drugs, alcohol, sexual deviance, harassment, abuse and assault.

57. On March 23, 1999, Plaintiff flew to Texas to see Defendant Warner's band again. After the show, Plaintiff spoke to the band's bus driver, who invited her to come to New Orleans for the next show. Before the March 25, 1999 show in New Orleans, Plaintiff encountered a member of the band who introduced her to Defendant Warner's assistant. This assistant gave Plaintiff a pass so she could attend the show and have access backstage. Before the show, Defendant Warner briefly noticed Plaintiff and made a lewd comment to her.

58. After the show in New Orleans, numerous people, including other female fans, were waiting around. Defendant Warner peeked out from behind a closed door and looked at

everyone. Plaintiff was then told that she could stay and go into a back room. Defendant Warner made Plaintiff feel special and chosen. Defendant Warner's assistant instructed Plaintiff to continue going to the shows, suggesting that he could get her into the shows and backstage. The atmosphere backstage always included the availability of large amounts of drugs for her and others to use.

59. Plaintiff traveled to numerous cities and states over the next 4 weeks, including New York. At each event, Defendant Warner and his band brought Plaintiff backstage and on the bus. During this period, Plaintiff encountered Defendant Warner virtually every day, including on days the band did not perform, and the two often spent hours together talking. Defendant Warner and his associates provided drugs to Plaintiff, and Defendant Warner continued to groom, harass and sexually abuse Plaintiff.

60. While she was still a child, Defendant Warner had purposefully and intentionally laid the groundwork necessary to intimidate and control her. Despite reaching the legal age of majority, that power to psychologically intimidate and control Plaintiff was still present. When Defendant Warner chose Plaintiff out of the group to be with him in his inner circle and began grooming her again during the next shows in Florida (Tampa and Orlando), Defendant Warner's intended effect was to exert control over Plaintiff for his own sexual gratification. While in Florida, Plaintiff considered going back home. Plaintiff spoke with Defendant Warner and revealed her vulnerabilities and a general lack of support she felt from her family. As he did on countless occasions, Defendant Warner exploited this vulnerability to keep Plaintiff under his control. Defendant Warner often made Plaintiff feel alone and isolated by telling her that no one understands her other than him, which included her family. At the time, Plaintiff believed Defendant Warner and was compelled to keep following him.

Defendant Warner Sexually Assaulted Plaintiff in Nassau and Erie Counties

61. Defendant Warner continued to groom and sexually assault Plaintiff for the next 4 weeks during this tour. The sexual assaults of Plaintiff included acts in violation of Article 130 of the New York Penal Code when the band played in Uniondale, New York on April 7, 1999 and in Buffalo, New York on April 11, 1999.

62. Throughout the tour and while within the State of New York, when Plaintiff was with Defendant Warner both on concert days and on off days, Defendant Warner coerced her to have sex with him. Defendant Warner often coerced Plaintiff to have sex with him and other band members or his assistant at the same time. Defendant Warner controlled what Plaintiff could do, who could touch Plaintiff, and who he wanted Plaintiff to be with sexually, all while providing Plaintiff with drugs.

63. Defendant Warner and his assistant went to the hotel rooms of Plaintiff and other young fans and gave Plaintiff alcohol and drugs. On one occasion, Defendant Warner overheard Plaintiff say that she wanted to go back to Los Angeles. In response, Defendant Warner pushed Plaintiff to stay and urged her not to leave. As is typical when a sexual predator, Defendant Warner continued to exert power and authority to maintain control over Plaintiff. As a result of Defendant Warner's oppressive and ongoing behavior, Plaintiff was unable to defend and extract herself from the abuse.

64. Defendant Warner's emotional manipulation of Plaintiff began to include hostile and verbally abusive behavior. At times, he began ridiculing Plaintiff, especially in the presence of other young female fans. Defendant Warner openly called her racial slurs and called her fat. At other times, Defendant Warner told Plaintiff she was beautiful and confided in her some of his most personal secrets. Plaintiff saw Defendant Warner almost every day (except when his fiancée was in town), before, during, and after his shows.

65. Later in April of 1999, Plaintiff and a few friends were in the lobby of the hotel

where the band was staying. There, Plaintiff encountered Defendant Warner's long-time security guard, who told the girls that Defendant Warner was on the phone with his fiancée. After about 30 minutes, the security guard returned and told Plaintiff that Defendant Warner wanted her to come upstairs and stay with him tonight. Plaintiff was concerned because Defendant Warner was just on the phone with his fiancée and was likely high on cocaine. Under such circumstances, Defendant Warner had been sexually violent with Plaintiff in the past. Plaintiff found the strength to stay away because she was afraid to be left alone with Defendant Warner. After that night, Defendant Warner became more demanding, abusive, and threatening toward Plaintiff.

66. A few nights later, on April 28, 1999, Defendant Warner's band played their last concert of this tour in Cedar Rapids, Iowa, canceling the rest of the tour in the aftermath of the Columbine high school shooting. Defendant Warner stormed off stage, ending the show early. Defendant Warner's assistant took the group, including Plaintiff, backstage after the show, where Plaintiff saw Defendant Warner sitting in the back room and laughing.

Defendants Retaliate Against Plaintiff

67. Defendant Warner started online contact with Plaintiff in 1995 when Plaintiff was a minor. This contact took place between Defendant Warner and a minor over state lines thru America Online chats.

68. In 2021, after several women came forward with reports of their own abuse at the hands of Defendant Warner, Plaintiff came forward online. Upon information and belief, in response to Plaintiff coming forward, Plaintiff was subjected to several acts of retaliation. These acts included publicly revealing sensitive information about Plaintiff ("doxxing"), hacking Plaintiff's Instagram account, and systematic harassment through numerous websites by Defendant Warner and his fans. Upon information and belief, Defendant Warner and his wife are retaliating against Plaintiff through a particular YouTuber who has profited by discrediting,

victim blaming, and shaming Defendant Warner's victims.

69. Defendant Warner coerced Plaintiff by: (1) using his seniority, authority and celebrity to emotionally manipulate Plaintiff; (2) sexually grooming her to trust him, satisfy his prurient desires, and concede to him; (3) encouraging Plaintiff to become emotionally dependent upon him, and thus further exerting his control over her; and (4) providing her with alcohol and illegal drugs; (5) using the financial resources and other enticements provided by Defendants or Defendants' personnel to access, manipulate and abuse Plaintiff; and other ways too numerous to list herein.

70. The grooming, sexual abuse, harassment and/or assaults were committed by Defendant Warner for his sexual gratification and were based upon the gender of the Plaintiff.

COUNT I
Sexual Battery
(As to Defendant Brian Warner)

71. Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

72. In approximately September and December 1995, while Plaintiff was under the age of eighteen years of age, Defendant Warner engaged in unpermitted, harmful, and offensive bodily sexual contact upon Plaintiff's person. Defendant's conduct constituted criminal sexual conduct under state laws.

73. At the time Defendant Warner committed these criminal sexual acts, Plaintiff was a minor, was not capable of consenting, and did not consent.

74. In approximately March and April 1999, Defendant Brian Warner engaged in a course of unpermitted, harmful, and offensive bodily sexual contact upon the person of Plaintiff. Defendant's conduct was in violation of several sections within Article 130 of the New York Penal Code while both parties were present within the State of New York.

75. Plaintiff did not consent to the harmful bodily contact.

76. As a direct and proximate result of the foregoing, Plaintiff sustained physical, emotional, and psychological injuries, along with pain and suffering.

COUNT II
Negligence
(Against Defendant Interscope and Defendant Nothing Records and Does 1-20)

77. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent paragraphs of this Complaint as if fully set forth herein.

78. Prior to the sexual assaults described above, Defendants Interscope and Nothing Records knew or should have known that Defendant Warner was habitually and routinely engaged in sexual misconduct with young adults and underage children throughout the country.

79. Prior to the sexual assaults described above, Defendants Interscope and Nothing Records knew or should have known that Defendant Warner was a serial sexual predator and/or sexually assaulted children and women.

80. Prior to the sexual assaults described above, Defendants Interscope and Nothing Records knew or should have known that Defendant Warner was engaged in soliciting, transmitting, and maintaining child pornography.

81. Defendants Interscope and Nothing Records owed Plaintiff, a fan and invitee to Defendant Warner's performances, a duty of reasonable care to protect the Plaintiff from injury.

82. Defendants Interscope and Nothing Records owed Plaintiff a duty to protect her from harm because Defendants' actions created a foreseeable risk of harm to Plaintiff.

83. Defendants Interscope and Nothing Records owed Plaintiff a duty because it was in a position to control Defendant Warner's access to drugs, children, and young fans.

84. Defendant Interscope and Defendant Nothing Records owed Plaintiff a duty because they invited Plaintiff onto the premises and facilities (performance venues, backstage,

buses and hotel) and Defendant Warner posed a dangerous condition at these facilities.

85. Defendant Interscope and Defendant Nothing Records had a duty of reasonable care to enact policies and procedures to protect fans, such as Plaintiff, from sexual assault and molestation by performers and other persons in authority.

86. Defendant Interscope and Defendant Nothing Records knew or should have known that Defendant Warner had a history of giving drugs to female fans he allowed backstage, onto the bus and in hotel rooms, and sexually assaulting minors and women before Defendant Warner sexually assaulted Plaintiff.

87. Defendants Interscope and Nothing Records knew or should have known that Defendant Warner was a danger to minor children and women.

88. Defendants Interscope and Nothing Records knew or should have known that Defendant Warner used the power, influence, status, and facilities provided by Defendants to access and sexually assault women.

89. While Plaintiff was attending performances and invited backstage, and on the bus, Defendant Warner engaged in an illegal, harmful, and offensive sexual assaults against Plaintiff. Said conduct was undertaken after Defendant Interscope and Defendant Nothing Records knew or should have known of the risk Defendant Warner posed to children and women as a member, employee, agent or representative, and while in the course and scope of Defendant Warner's role with the record labels, and/or was ratified by the actions of the Defendant Interscope and Defendant Nothing Records.

90. Defendant Interscope and Defendant Nothing Records' actions created a foreseeable risk of harm to Plaintiff. As a vulnerable child and young woman who Defendant Warner recruited into the venues, facilities, buses and hotel rooms provided by Defendant Interscope and Defendant Nothing Records, Plaintiff was a foreseeable victim.

91. Defendant Interscope and Defendant Nothing Records knew or should have known that children and women exposed to Defendant Warner were at risk of sexual assault by Defendant Warner.

92. Defendant Interscope and Defendant Nothing Records knew or should have known, and had the opportunity to learn of, the intentional and malicious conduct of Defendant Warner, and thereby ratified and joined in said conduct by failing to terminate, bar, disinvite, publicly admonish, or discipline Defendant Warner and/or by failing to warn anyone of Defendant Warner's known behaviors and/or by preventing contact between Defendant Warner and female fans.

93. Rather than take any action to keep Plaintiff and individuals in her position safe, Defendant Interscope and Defendant Nothing Records promoted and financially benefited from Defendant Warner's sexually deviant, violent and pedophilic character.

94. Defendant Interscope and Defendant Nothing Records breached their duties to Plaintiff. Defendants' failures include, but are not limited to, failure to protect Plaintiff from a known danger, failure to warn Plaintiff of the risk Defendant Warner posed; failure to take reasonable measures in light of what they knew or should have known; and failure to investigate the risks at their facilities.

95. Defendant Interscope and Defendant Nothing Records breached their duties to Plaintiff by providing Defendant Warner with authority and/or apparent authority to access and sexually assault minors and women that attended the performances, including all ages concerts, and invited backstage and on the bus.

96. Defendant Interscope and Defendant Nothing Records breached their duties to Plaintiff by providing, arranging, promoting and permitting Defendant Warner to use the Marilyn Manson performances as a means to access, groom, and sexually assault minors and women.

97. By failing to address Defendant Warner's sexual assaults of women, Defendant Interscope and Defendant Nothing Records permitted, approved, encouraged, and/or ratified Defendant Warner's sexual assaults of Plaintiff.

98. Defendant Interscope and Defendant Nothing Records negligently deemed that Defendant Warner was fit; and/or that any previous suitability problems Defendant Warner had were fixed and cured; and/or that Defendant Warner would not continue to sexually assault minors and women; and/or that Defendant Warner would not injure minors and women.

99. As a direct and proximate result of the foregoing acts of negligence, Plaintiff sustained physical, emotional, and psychological injuries, along with pain and suffering.

COUNT III
Negligent Supervision and Retention
(Against Defendant Interscope and Defendant Nothing Records and Does 1-20)

100. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent paragraphs of this Complaint as if fully set forth herein.

101. As overseers, operators, managers, and/or controllers of the band's shows, venues and transportation and accommodations while on tour, where fans, including minors, were invited to be in presence of Defendant Warner, Defendant Interscope and Nothing Records expressly and implicitly represented that the band members, including Defendant Warner, were not a sexual threat to their fans and others who would fall under Defendant Warner's influence, control direction, and guidance.

102. At all relevant times herein, Defendant Warner was employed by or was an agent of Defendant Interscope and Defendant Nothing Records and was under the record label Defendants' direct supervision, employ, and control when he committed the wrongful acts alleged herein. Defendant Warner engaged in the wrongful conduct while engaged in his employment or agency relationship with Defendant Interscope and Defendant Nothing Records

and/or accomplished the sexual abuse by virtue of his authority and access to fans. This access was created and provided to Defendant Warner by Defendant Interscope and Defendant Nothing Records.

103. Defendant Interscope and Defendant Nothing Records had a duty, arising from its relationship with Defendant Warner, to ensure that he did not sexually assault minors and women. Defendant Interscope and Defendant Nothing Records also owed a duty to train and educate employees, administrators, and agents, and establish adequate and effective policies and procedures calculated to detect, prevent, and address inappropriate behavior and conduct with minors and women.

104. The tortious conduct complained of herein occurred on property (venues and backstage) and in the facilities (buses) provided by Defendant Interscope and Defendant Nothing Records for the shows and tours promoted by the record label Defendants.

105. At no time did Defendant Interscope and Defendant Nothing Records have a reasonable system or procedure in place to investigate, supervise, or monitor its staff and/or agents, including Defendant Warner, to prevent pre-sexual grooming and sexual harassment, molestation, and assault of fans, including minors and women.

106. Defendant Interscope and Defendant Nothing Records, by and through its agents, servants, and employees, knew or should have known of Defendant Warner's sexually abusive and exploitative propensities and/or that Defendant Warner was an unfit agent. Despite such knowledge, Defendant Interscope and Defendant Nothing Records negligently failed to supervise Defendant Warner in his position of authority as the band's leader and front man, in which position he was able to commit the wrongful acts against Plaintiff alleged herein. Defendant Interscope and Defendant Nothing Records failed to provide reasonable supervision of Defendant Warner, failed to use reasonable care in investigating Defendant Warner, and failed to

provide adequate warning to Plaintiff and her family regarding Defendant Warner's sexually abusive and exploitative propensities and unfitness. Defendant Interscope and Defendant Nothing Records further failed to take reasonable measures to prevent future sexual assault against minors and women. Instead, Defendant Interscope and Defendant Nothing Records promoted and benefited from Defendant Warner's sexually deviant, violent and pedophilic character.

107. Defendant Interscope and Defendant Nothing Records breached its duties to Plaintiff by, *inter alia*, failing to adequately monitor and supervise Defendant Warner and failing to stop Defendant Warner from committing wrongful sexual acts with minors and women, including Plaintiff. Defendant Interscope and Defendant Nothing Records also breached their duties to Plaintiff by actively maintaining an employment or agency relationship with Defendant Warner, who was in a position of power and authority through which Defendant Warner had access to the fans, and power and control over minors and women, including Plaintiff.

108. Defendant Interscope and Defendant Nothing Records were negligent in the training, supervision, and instruction of their employees and agents. Defendant Interscope and Defendant Nothing Records failed to timely and properly educate, train, supervise, and/or monitor their agents or employees with regard to policies and procedures that should be followed when sexual abuse of a minor or a woman is suspected or observed. Defendant Interscope and Defendant Nothing Records were additionally negligent in failing to supervise, monitor, chaperone, and/or investigate Defendant Warner and/or in failing to create, institute, and/or enforce rules, policies, procedures, and/or regulations to prevent Defendant Warner's sexual abuse of Plaintiff. In failing to properly supervise Defendant Warner, and in failing to establish such training procedures for employees and administrators, Defendant Interscope Records and Defendant Nothing Records failed to exercise the degree of care that reasonably prudent persons

would have exercised under similar circumstances.

109. As a direct and proximate result of the foregoing acts of negligence, Plaintiff sustained severe physical, emotional, and psychological injuries, along with pain and suffering.

COUNT IV
Intentional Infliction of Emotional Distress
(Against All Defendants)

110. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent paragraphs of this Complaint as if fully set forth herein.

111. Defendants' conduct as alleged herein was outrageous and exceeded all bounds of decency and is odious and utterly intolerable in a civilized society.

112. Defendants intended to cause Plaintiff emotional distress and/or acted with reckless disregard of the probability that Plaintiff would suffer emotional distress, knowing that Plaintiff was being sexually assaulted when she was invited backstage and on the bus while the Defendant Warner was on tour and doing shows promoted by Defendant Interscope and Defendant Nothing Records, beginning when she was 16 years old, again when she was 19 years old.

113. Despite known risks associated with the potential of childhood sexual assault at the time, and the explicit criminalization of sexual assault of a minor, Defendants advanced and promoted a different message—that pedophilia and violence was not just acceptable, but that it was cool and fun. Defendants included symbols of pedophilia on their marketing materials, merchandise and record albums and CD covers, causing minors, including Plaintiff, to naively replicate these symbols in their drawings, on their notebooks and elsewhere. Through its promotional efforts, Defendants specifically targeted and marketed these messages to children under the age of eighteen, and under the age of consent, including Plaintiff. As long as Defendant Warner was making or had the potential to make Defendants large sums of money,

Defendants acted in the best interest of their investment, as opposed to the best interest of a child suffering from acts of sexual assault.

114. Through their actions, as set forth in this Complaint, and on information and belief, notwithstanding their business interest, Defendants intended to cause Plaintiff emotional distress and/or acted with reckless disregard of the probability that Plaintiff would suffer emotional distress both as a minor and a young woman.

115. Defendant Interscope and Defendant Nothing Records knew, through Defendant Warner's own admission that he was a self-proclaimed pedophile and of his violent and sexually deviant behavior, and yet continued to facilitate and enable Defendant Warner's sexual assaults of Plaintiff that started when she was a minor and continued when she was young woman.

116. Further, when Defendant Warner's physical assaults of Plaintiff ceased, he refused to let Plaintiff speak her truth and heal. Defendant Warner used his status, power and fame in the media to continue to threaten, harass and emotionally abuse Plaintiff.

117. Additionally, Defendant Warner weaponized his fanbase to perpetuate his and initiate their own threats, harassment and emotional abuse of Plaintiff.

118. Defendants' conduct caused emotional distress when Plaintiff was a minor and a young adult, and this emotional distress was and continues to be severe.

119. As a direct and proximate result of the foregoing, Plaintiff sustained severe physical, emotional, and psychological injuries, along with pain and suffering.

COUNT V

Violation of General New York General Business Law Section 349 (Against Defendant Interscope and Defendant Nothing Records and Does 1-20)

120. Plaintiff repeats, re-alleges and incorporates herein by reference all consistent paragraphs of this Complaint as if fully set forth herein.

121. Defendants conduct various business, trade or commercial functions and furnishes services to consumers, the public and Plaintiff. This business includes, but is not limited to providing entertainment, live music shows, music recordings, videos, products and merchandise for profit. In the course of this conduct, Defendants engaged and engages in materially misleading, deceptive acts and/or practices of violation of General Business Law Section 349.

122. Defendants Interscope and Nothing Records' misleading, deceptive conduct includes, but is not limited to concealing instances of sexual assault by Defendant Warner against underage and adult fans, as well as instances of Defendant Warner and staff providing drugs and alcohol to fans, including underage fans. Defendant Interscope and Defendant Nothing Records deceptively fail to disclose and hide their full knowledge of Defendant Warner's sexual abuse and specifically the history and propensity of sexual abuse perpetrated by Defendant Warner on underage and adult fans. Furthermore, Defendant Interscope and Defendant Nothing Records undertake various affirmative representations including, but not limited to holding out its events, shows, concerts and the connected facilities including backstage, tour buses and recording studios, and its performers including Defendant Warner, to be safe for underage and adult fans, and that these facilities and performers do not have a history of or propensity for sexual abuse and for providing drugs and alcohol, when in fact such a history and propensity exists.

123. Defendant Interscope and Defendant Nothing Records failed to disclose their full knowledge of Defendant Warner's sexual abuse, while at the same time trading and financially profiting from it. Defendants used violence, sexual exploitation, images of children, and illegal drug and alcohol use to promote and profit from Defendant Warner and his band.

124. Defendants Interscope and Nothing Records' deceptive conduct also includes, but is not limited to conspiring and engaging and/or have conspired and engaged in efforts to: 1)

conceal from the proper civil authorities sexual assaults committed by Defendant Warner and enabled by Defendants' agents against minor children and adult fans; and/or 2) evade Defendant Warner from criminal prosecution for his sexual assaults against minor children and adult fans; and/or 3) allow a known sexual abuser to continue to use his authority, power and fame to gain access to minor children and young adult fans, unknown to the public, inviting fans backstage, on the tour bus and in the recording studio.

125. Defendants' conduct, described herein, is a deceptive pattern of practice and conduct. Defendants continue to engage in this pattern and conduct by profiting from Defendant Warner's music and paraphernalia.

126. Defendants' conduct was and/or is likely to deceive a reasonable person. Consumers, the public, Plaintiff and her family specifically and reasonably relied upon Defendants' deceptive acts and practices.

127. The Plaintiff has been injured as detailed in the preceding paragraphs of this Complaint and as a result of Defendants' actions in violation of General Business Law (GBL) Section 349.

128. By refusing to disclose prior incidents of Defendant Warner's sexual abuse and providing drugs and alcohol to minor and adult fans, and holding out that its events, facilities and performers as reputable, trustworthy and safe, Defendants allowed minor and young adult fans to be accessed by Defendant Warner who has a propensity to abuse or with a history of abuse.

129. In fact, Defendants knew of Defendant Warner's dangerous sexual proclivities and encouraged this behavior and profited from it.

130. Defendants' conduct, acts and practices are subject to enjoinder pursuant to GBL Section 349(h) to prevent the conduct, acts and practices. Furthermore, Defendants' conduct was intentional and willful such that imposition of an award of reasonable attorney's

fees to Plaintiff is warranted.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief against Defendants:

1. For past, present, and future general damages in an amount to be determined at trial;
2. For past, present, and future special damages, including but not limited to past, present and future lost earnings, economic damages, and others in an amount to be determined at trial;
3. Any appropriate statutory damages;
4. For interest as allowed by law;
5. For civil penalties as provided by law;
6. An Order enjoining Defendants from future unlawful business practices including, but not limited to exposing minors and vulnerable adults to sexual abuse and exploitation;
7. For any applicable costs of said suit;
8. For reasonable attorneys fees;
9. For any appropriate punitive or exemplary damages; and
10. For such other and further relief as the Court may deem proper.

The amount of damages sought in this Complaint exceeds the jurisdictional limits of all lower courts, which would otherwise have jurisdiction.

JURY DEMAND

Plaintiff demands a trial by jury of all issues so triable.

Dated: January 30, 2023



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